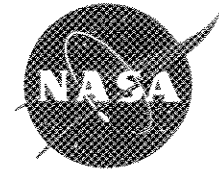


National Aeronautics and Space Administration

Headquarters

Washington, DC 20546-0001



September 28, 2011

Reply to Attn of: General Law Practice Group

TO: Distribution

FROM: Alternate Designated Agency Ethics Official

SUBJECT: Determination Regarding Attendance by NASA employees at the Events Related to the 62nd International Astronautical Congress (IAC), at the Cape Town International Conference Center in Cape Town, South Africa, October 2011

Representatives from NASA have been invited to attend a series of events in conjunction with the 62nd International Astronautical Congress (IAC) at the Cape Town International Convention Centre (CTICC), in Cape Town, South Africa. The IAC is intended to enable representatives from the space industry, space users, space policy makers, students, young professionals, researchers and academicians to meet and exchange experiences and knowledge on space-related topics, and to develop world-wide cooperation programs. The IAC is the largest annual event organized by the International Astronautical Federation (IAF), a non-governmental, non-profit membership organization, based in Paris, France. The Congress is hosted by one of the IAF's member countries, which forms a local organizing committee. The events are as follows:

1. Closing Dinner for the Space Generation Congress (SGC), October 1, 2011: The Space Generation Advisory Council (SGAC), a foreign, 501(c)(3) non-profit under the umbrella of the United Nations, will host a dinner at the Marimba Restaurant in Cape Town, South Africa at 7:30 p.m. Lockheed Martin Space Systems is providing financial support for this dinner, although invitations are determined by SGAC. The dinner signifies the end of the Space Generation Congress, a conference focused on space topics taking place the week prior to the IAC. The NASA Administrator, Charles F. Bolden, Jr. will be the keynote speaker at the event. Approximately 150 people are expected to attend the dinner. Expected attendees include representatives from NASA, foreign government Agencies, foreign government officials, industry representatives, academia, media, SGC delegates, and members of the public. The dinner will include food and beverages valued at approximately \$35 per person (\$255 ZAR).
2. Young Professionals Program (YPP) Welcome Event, October 2, 2011: Arianespace will sponsor a welcome reception in the Roof Terrace room at the CTICC at 6:00 p.m. This event will provide networking opportunities for young space professionals. Approximately 150 people are expected to attend, including the younger representatives from governments, NASA personnel and other Federal agencies, industry, academia, students, media, and foreign nationals. The cost of food and refreshments is approximately \$35 per person.

3. IAF Luncheon, October 3, 2011: IAF will be hosting a buffet luncheon in the Roof Terrace room at the CTICC at 12:30 p.m. Approximately 100 people have been invited. The event will provide an opportunity to prepare for the heads of the space agency plenary session of the IAC conference. The cost per person is approximately \$25 per person. Attendees will include representatives from NASA and other foreign space agencies, foreign parliamentarians, state and local governments, industry, and academia.
4. Arianespace Reception and Dinner, October 3, 2011: Arianespace will be sponsoring a cocktail reception and dinner at the Baia Restaurant in Cape Town, South Africa at 8:15 p.m. Approximately 140 people have been invited. The cost per person is approximately \$101 (72€) per person. Attendees will include representatives from NASA and other U.S. Federal agencies, industry, and the heads of space agencies. Attendees will also receive a passport protector valued at \$14 (10€).
5. IAF 60th Anniversary Award Reception, October 4, 2011: Lockheed Martin, Raytheon Corp., and Boeing Company will be hosting a reception at the CTICC at 5:00 p.m. in conjunction with the IAF Awards Ceremony. The event is in honor of the IAF 60th Anniversary Award winners. The cost per person is approximately \$30 per person. Approximately 140 people are expected to attend, including representatives from NASA and other Federal agencies, foreign space agencies, Congressmen and staff, state and local government officials, industry, academia, and the media.
6. Masters with Masters Event and Reception, October 4, 2011: Lockheed Martin will sponsor a Masters with Masters Event and reception in the Roof Terrace room at the CTICC at 6:00 PM. The event is part of the Young Professionals Program (YPP). The NASA Administrator will participate in a panel discussion, followed by a reception. This event will provide an opportunity for young space professionals to hear more about the U.S. space program. Approximately 150 people are expected to attend, including the younger representatives from governments, NASA personnel and other Federal agencies, industry, academia, students, media, and foreign nationals. The cost of food and refreshments is approximately \$35 per person.
7. Perspectives on Space Exploration Event and Reception, October 5, 2011: HE Space Operations and Women in Aerospace – Europe will sponsor a reception in the Roof Terrace room at the CTICC at 6:00 PM. The NASA Deputy Administrator will participate in a panel discussion, followed by a reception. This event is part of the Young Professionals Program (YPP) and will provide an opportunity for young space professionals to hear more about the U.S. space program. Approximately 150 people are expected to attend, including the younger representatives from governments, NASA personnel and other Federal agencies, industry, academia, students, media, and foreign nationals. The cost of food and refreshments is approximately \$35 per person.

In accordance with 5 C.F.R. § 2635.204(g), and 14 C.F.R. § 1207.103, I find that the events listed above meet the definition of a “widely attended gathering.”

I further find that there is an agency interest in having NASA employees attend the events, as they will have the opportunity to further agency programs and operations through the exchange of views and information with other attendees. Accordingly, NASA employees who have been invited to attend may accept free attendance at the event. They may also accept invitations for accompanying spouses or guests.

However, NASA employees whose duties may substantially affect the sponsors listed above such as by way of procurement duties, should seek an individual determination pursuant to 5 C.F.R. § 2635.204(g)(3)(i) regarding participation in the events from their local ethics counselor.

Moreover, NASA employees who are in non-career positions for which they are required to sign an ethics pledge under Executive Order 13490 may only attend the receptions if they reimburse the sponsors the cost of the refreshments consumed for themselves and accompanying guests. They may only attend the dinner sponsored by Arianespace on October 3, 2011 if they reimburse Arianespace for the cost of the dinner. They may, however, attend the SGAC Closing Dinner, the IAF Luncheon, and the Perspectives on Space Exploration Event and Reception for free. In addition, the Administrator and Deputy Administrator may accept free attendance at the events at which they are speaking.

Attendees are reminded of the \$20 gift exception at 5 C.F.R. § 2635.204(a) which provides that employees may accept gifts valued at no more than \$20 per occasion (and no more than \$50 from one source in a calendar year). NASA invitees should not accept any gift items distributed at the reception which exceed the \$20 cap.

Kathleen T. Spear

for Adam F. Greenstone